

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

MORGAN STANLEY SMITH BARNEY, LLC,        )  
a Delaware Limited Liability Company,        )  
  )  
  )  
Plaintiff(s)                                    )  
  )  
vs.    ) No. CIV-12-108-JHP  
  )  
FIRST UNITED BANK AND TRUST                )  
COMPANY NATIONAL ASSOCIATION,                )  
A Federally Chartered Banking Institution,    )  
  )  
Defendant(s)                                    )

**ADMINISTRATIVE CLOSING ORDER**

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

**IT IS ORDERED** that the action as to all claims is dismissed without prejudice pursuant to Fed.R.Civ.P. 41(a)(2) subject to the conditions set forth herein. The Court retains complete jurisdiction to vacate this order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary. **This Administrative Closing Order shall mature into a final judgment pursuant to Fed.R.Civ.P. 54 and Fed.R.Civ.P. 58, if the parties fail to submit final closing papers within twenty (20) days from the date of this order.**

Dated this 4th day of December, 2012.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma